

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

M.F., a minor, by and through his father, §
MICHAEL FISHER, and his mother, §
KATHERINE FISHER, §
§
Plaintiff, § Civil Action No. 4:23-cv-01102-O
§
v. §
§
CARROLL INDEPENDENT §
SCHOOL DISTRICT, WHITNEY §
WHEELER, in her individual capacity §
and capacity as Principal of Durham §
Intermediate School, AND KIM RAY, §
in her individual capacity and capacity §
as Assistant Principal and Campus §
Behavior Coordinator of Durham §
Intermediate School, §
§
Defendants. §

ORDER SETTING HEARING

On November 4, 2023, the Court granted a temporary restraining. ECF No. 13 at 1. This matter is set for hearing on **Thursday, November 16, 2023 at 9:00 a.m. Central Time** to determine whether the injunction should remain in place throughout this lawsuit. *Id.* The hearing will commence in the Second Floor Courtroom located at **501 West 10th Street Fort Worth, Texas**. During the hearing, the parties may call witnesses and present evidence for the Court's consideration. The parties **SHALL** submit witness and exhibits lists **no later than November 13, 2023**. Additionally, the parties are **ORDERED** to comply with the following procedures:

1. **Application of Rules:** The parties must comply with the Federal Rules of Civil Procedure and the local civil rules of this Court. If the Court, by order entered in this case, has modified the application of a Federal Rule of Civil Procedure or a local civil rule, the Court's order governs.

2. Witness List: A **list of witnesses** shall be filed by each party that (1) divides the persons listed into groups of “**probable witnesses**,” “**possible witnesses**,” “**experts**,” and “**record custodians**” and (2) includes the following information:

- (i)** the **name and address** of each witness;
- (ii)** a **brief narrative summary** of the testimony to be covered by each witness; and
- (iii)** the **expected duration** of direct or cross-examination of the witness.¹

The witness list must include three columns. The first column must contain a brief statement of the subject matter to be covered by a particular witness. The second column will bear the heading “Sworn” and the third column will bear the heading “Testified” so the Court can keep track of the witnesses. If any witness needs an interpreter, please note this on the witness list. It is the obligation of the party offering such a witness to arrange for an interpreter to be present.

3. Exhibit List: A **list of exhibits (including demonstrative exhibits)**, if applicable, to be offered at the hearing shall be filed by each party. The list of exhibits shall describe with specificity the documents or things in numbered sequence. The documents or things to be offered as exhibits shall be numbered by attachment of gummed labels to correspond with the sequence on the exhibit list and identify the party submitting the exhibit. (Modification of Local Rule 26.2(b)–(c)). Do not use letter suffixes to identify exhibits (e.g., designate them as 1, 2, 3 rather than 1A, 1B, 1C). The Exhibit list will include two columns, one bearing the heading “Offered” and the other bearing the heading “Admitted.”

SO ORDERED this 6th day of November, 2023.



Reed O'Connor
UNITED STATES DISTRICT JUDGE

¹ Pursuant to Rule 16(c)(2)(O) and Section VII of the United States District Court for the Northern District of Texas Civil Justice Expense and Delay Reduction Plan, the Court may impose a reasonable limit on the time allowed for presenting evidence.